

## NEW UNITED STATES UTILITY PATENT APPLICATION TRANSMITTAL

Atty. Docket No.: 20563/2422

**CERTIFICATE OF MAILING UNDER 37 CFR 1.10**

I hereby certify that the paper (and any paper or fee referred to as being enclosed) is being deposited with the United States Postal Service using Express Mail to Addressee Service, under 37 C.F.R. Section 1.10, **Express Mail Label No. EV242753015US** on this date, **February 9, 2004**, postage prepaid, in an envelope addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

David J. Dykeman

Name of Person Mailing Paper

Signature of Person Mailing Paper

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

2278 U.S. PTO  
10/774985**Enclosed herewith is a new patent application of:**

First Named Inventor (or application identifier): Rabiner et al.

Title of Invention: Apparatus and Method for and Ultrasonic Medical Device Operating in a Torsional Mode

Type: ☒ New  
☐ Continuation of: \_\_\_\_\_  
☐ Continuation-in-Part of: \_\_\_\_\_  
☐ Divisional of: \_\_\_\_\_  
which is hereby incorporated by reference in its entirety into the application filed herewith;

**and includes the following papers:**

1. ☒ Specification 33 pages (including specification, claims, abstract)/70 claims (5 independent)
2. ☒ Declaration/Power of Attorney is:  
☒ Executed ☐ Unexecuted ☐ Executed copy from Parent Application  
☐ NOT included, but deferred under 37 C.F.R. § 1.53(f).
3. ☒ 11 Distinct sheets of ☐ Formal ☒ Informal Drawings
4. ☒ Application Data Sheet
5. ☐ Preliminary Amendment.
6. ☐ Information Disclosure Statement  
☐ Form 1449 ☐ A copy of each cited prior art reference
7. ☐ Assignment with Recordation Cover Sheet.
8. ☐ Priority is hereby claimed under 35 U.S.C. § 119 based upon the following application(s):

Country	Application Number	Date of Filing (day, month, year)

9. ☐ Priority is hereby claimed under 35 U.S.C. § 120 based upon the following application(s):

Application Number	Date of Filing (day, month, year)

10. ☐ Priority is hereby claimed under 35 U.S.C. § 121 based upon the following application(s):

Application Number	Date of Filing (day, month, year)

The above applications from which priority is claimed are hereby incorporated in their entirety into the application filed herewith.

11. ☐ Priority document(s).
12. ☐ Microfiche Computer Program (Appendix).
13. ☐ Nucleotide and/or Amino Acid Sequence Submission.  
☐ Computer Readable Copy.  
☐ Paper Copy (identical to computer copy).  
☐ Statement verifying identity of above copies.
14. ☐ Request for Non-Publication and Certification under 35 USC 122 (b)(2)(B)(i)
15. ☒ Statement of Small Entity Status, Pursuant to 37 C.F.R. §1.27.

16. Calculation of Fees:

FEES FOR	TOTAL CLAIMS	EXCESS CLAIMS	FEE	AMOUNT DUE
Basic Filing Fee (37 C.F.R. § 1.16(a))				\$750.00
Total Claims in <b>Excess of 20</b> (37 C.F.R. § 1.16(c))	70	50	\$18.00	900.00
Independent Claims in <b>Excess of 3</b> (37 C.F.R. § 1.16(b))	5	2	\$84.00	168.00
Multiple Dependent Claims (37 C.F.R. § 1.16(d))	No		\$280.00	0
Subtotal - Filing Fee Due				1818.00
Reduction by 50%, if Small Entity (37 C.F.R. §§ 1.9, 1.27, 1.28)	MULTIPLY BY 0.50			909.00
<b>TOTAL FILING FEE DUE</b>				<b>\$909.00</b>
Assignment Recordation Fee (if applicable) (37 C.F.R. § 1.21(h))	0		\$40.00	0
<b>GRAND TOTAL DUE</b>				<b>\$909.00</b>

17. PAYMENT is:  
☒ The Commissioner is hereby authorized to charge any fees to Deposit Account 16-0085, Ref. 20563/2422.  
☐ not included, but deferred under 37 C.F.R. § 1.53(f).

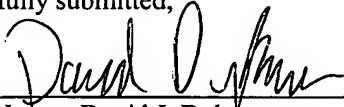
18. All correspondence for the attached application should be directed to:

**Richard B. Smith**  
**Customer Number 29934**  
111 Huntington Avenue  
Boston, MA 02199-7613

19. Other: \_\_\_\_\_

Respectfully submitted,

Date: February 9, 2004

By:   
Name: David J. Dykeman  
Registration No.: 46,678

23026 U.S. PTO  
020904

Att'y. Docket No.: 20563/2422

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Rabiner et al.  
Serial No.: Not Yet Assigned  
Filed: February 9, 2004  
Entitled: Apparatus and Method for an Ultrasonic  
Medical Device Operating in a Torsional  
Mode

**CERTIFICATE OF MAILING UNDER 37 CFR 1.10**

I hereby certify that the paper (and any paper or fee referred to as being enclosed) is being deposited with the United States Postal Service using Express Mail to Addressee Service, under 37 C.F.R. Section 1.10, **Express Mail Label No. EV242753015US** on this date, **February 9, 2004**, postage prepaid, in an envelope addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

David J. Dykeman

Name of Person Mailing Paper

Signature of Person Mailing Paper

**Mail Stop Patent Application**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

**TRANSMITTAL LETTER**

Enclosed for filing in the above-identified patent application, please find the following documents:

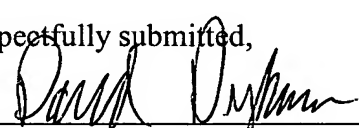
1. New Patent Application Transmittal;
2. Patent Application (33 pages);
3. Eleven (11) sheets of informal drawings of Figs. 1 - 10;
4. Executed Declaration and Power of Attorney;
5. Application Data Sheet; and
6. Return Post Card.

Pursuant to 37 C.F.R. § 1.27, Applicant claims small entity status.

The Commissioner for Patents is hereby authorized to charge any fees to Deposit Account No. 16-0085, Reference 20563/2422. A duplicate of this transmittal letter is enclosed for this purpose.

Respectfully submitted,

Date: February 9, 2004

  
Name: David J. Dykeman  
Registration No.: 46,678  
Customer No.: 29934  
Palmer & Dodge LLP  
111 Huntington Avenue  
Boston, MA 02199-7613  
Tel: 617-239-0100